

On January 19, 2022, the Nebraska Supreme Court adopted the following rule amendments to Neb. Ct. R. § 1-203, effective immediately:

CHAPTER 1: ADMINISTRATIVE OPERATIONS

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§ 1-203. Duties of court reporting personnel.

Court reporting personnel are charged with a duty to comply with any Nebraska Supreme Court rule relating to official court reporters and courtroom clerks and, in accordance with the specific terms of such employment and qualifications, with the duty of making, preserving, transcribing, and/or delivering a verbatim record of all proceedings in the court to which they are appointed in accordance with Neb. Ct. R. App. P. § 2-105. Except as otherwise directed by the State Court Administrator, all digital recordings made by courtroom clerks or other court personnel as defined in § 1-204(A)(4) shall be outsourced for transcription to privately contracted court transcribers who shall meet the minimum qualifications set forth in § 1-204(B)(2). Failure to comply with court rules may result in disciplinary action, including termination, by either the appointing judge or the Nebraska Supreme Court. In addition, court reporting personnel shall perform any other duties assigned by the appointing judge and shall, in accordance with the specific terms of such employment and qualifications:

(A) On order of the trial judge, make or have made and file in the clerk's office a typewritten transcription of any trial or proceedings, or any part thereof, without expense to any party to the suit; such transcription shall be a part of the records in the case. An official court reporter or privately contracted court transcriber shall receive from the appropriate governmental unit the compensation specified below in § 1-219 for any such transcription ordered by a judge.

(B) Upon request of counsel or any party to a suit, furnish to such counsel or party, as expeditiously as possible, a typewritten transcription of any trial or proceedings, or any portion thereof. An official court reporter or privately contracted court transcriber shall receive the compensation specified below in § 1-219 for any such transcription, except that when expedited, daily, or real-time delivery is requested, the official court reporter or privately contracted court transcriber and the requesting party may mutually agree to an amount to be paid for delivery of such transcription. Counsel or any party shall make satisfactory arrangements with the official court reporter or privately contracted court transcriber for payment. All work of an official court reporter involved with the preparation of such transcription shall be considered freelance activity subject to § 1-211.

(C) Upon request of any person not a party to a suit, if so approved by the trial judge, furnish to such person or have prepared for such person, as expeditiously as possible, a typewritten transcription of any trial or proceedings, or any portion thereof. All work of an official court reporter involved with the preparation of such transcription shall be considered freelance activity subject to § 1-211. The compensation and payment therefor shall be as prescribed in § 1-203(B).

(D) All verbatim transcriptions shall be certified by the person responsible for preparation of the verbatim transcription or the presiding judge to be true and correct.

(E) The procedure for requesting and preparation of a transcription of any trial or proceeding in the district court shall be regulated and governed by these rules. Shorthand notes, audio recordings, log sheets, or any other material used in making the record in district court shall not be provided to the public except upon motion to the trial judge assigned to the case with a showing of good cause.

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